

IN THE U.S. DISTRICT COURT OF THE WESTERN DISTRICT OF MICHIGAN

**FILED - GR**

December 26, 2024 11:36 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: KB SCANNED BY: *jm* 12/26

TaPricia DLaine McGuffey

**Petitioner,**

Vs.

CASE NO. \_\_\_\_\_

**1:24-cv-1346**

**Phillip J. Green**

**U.S. Magistrate Judge**

Honorable

Kathleen P. Hemingway,

Kevin Tatroe

8<sup>th</sup> District Court Clerk

STATE OF MICHIGAN

Jeffrey S. Gettings,

Sydney Plochocki

Township of Kalamazoo Police Department,

Lauren Patterson & Todd Nunn

State of Michigan Department of Health and

Human Services - Child Protective Services

**Respondent,**

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**PETITION FOR WRIT OF HABEAS CORPUS**

- 1.) Petitioner TaPricia DLaine McGuffey, is a constitutionally defined and protected de jure non-statutory Private American National and (State) of USA only as a "Citizen" recognized in the constitution for said USA at Article 1, Sec 2, paragraph 3, and Article 1, Sec. 3, paragraph 3, and therefore, TaPricia DLaine McGuffey is constitutionally acknowledged and protected de jure private Citizen privately living within the unincorporated union member of state of Michigan boundaries and borders as defined by the constitutional post office department established A.D. 1792, Privately and specially dwelling within a non-military occupied private estate outside a "Federal Zone" and not subject to the jurisdiction of the municipal nor military "United States".
- 2.) TaPricia DLaine McGuffey is the implied surety/beneficiary heir to TAPRICIA DLAINÉ MCGUFFEY. TAPRICIA DLAINÉ MCGUFFEY is being falsely accused of CHILD ABUSE – 4<sup>th</sup> degree, and accused of not appearing for the trial hearing held at the 8<sup>th</sup> District Court, 330 Eleanor Street, Kalamazoo Michigan 49007, set at 8:00am on July 18, 2024. Respondents are

Honorable Kathleen P. Hemingway, Kevin Tatroe 8<sup>th</sup> District Court Clerk, Jeffrey S. Gettings Prosecuting Attorney's, Sydney Plochocki of Township of Kalamazoo Police Department, Lauren Patterson and Todd Nunn of State of Michigan Department of Health Child Protective Services. The living woman TaPricia DLaine McGuffey has come in peace for this CAUSE/ESTATE matter, while Honorable Kathleen P. Hemingway, Kevin Tatroe, Jeffrey S. Gettings Prosecuting Attorneys, Sydney Plochocki, Lauren Patterson and Todd Nunn have continuously breached their oaths and duties; causing injury to TAPRICIA DLAINÉ MCGUFFEY LIVING TRUST, TaPricia DLaine McGuffey, her family, and TAPRICIA DLAINÉ MCGUFFEY ESTATE. TaPricia DLaine McGuffey has honorably appeared to all of the court proceedings in peace, in the name of YHWH, ready to settle the CAUSE/ESTATE equitably. TaPricia DLaine McGuffey is not a threat to the US, the court(s), or the public. Instead, TAPRICIA DLAINÉ MCGUFFEY is being maliciously prosecuted and falsely accused of a violent crime without an injured victim in fact, due process violation, the right to face her accuser, the proper court acknowledgement and proceedings.

- 3.) On April 11, 2024 Lauren Patterson (CPS Specialist) and Todd Nunn (Service Supervisor) sent McGuffey, TaPricia a letter in the mail indicating "their investigating ID # 162013475 that "McGuffey, TaPricia" was confirmed as a perpetrator of "child abuse and/or child neglect" for the maltreatments(s) of Physical Injury." They stated in this letter that: Their "record may be released in limited circumstances under MCL. 722.627d and may impact future employment, placement, or licensing opportunities." When that letter was sent to McGuffey, TaPricia there was no court ruling of such facts or crime. This letter is frivolous and must be addressed.
- 4.) Todd Nunn and Lauren Patterson did not respond, and defaulted to the following notices sent via certified mail: Todd Nunn – Certified Mail No. 9589 0710 5270 2118 6446 47 and Lauren Patterson – Certified Mail No. 9589 0710 5270 2118 6446 30
  - Notice of Conflict or Variance of Law
  - Notice of Special Visitation
  - Mandatory Judicial Notice
  - Notice of Subrogation
  - Special Deposit
  - Writ of Quo Warranto
  - Writ of Discovery
5. TaPricia DLaine McGuffey has given the 8<sup>th</sup> District court and is agents four (4) notices of Special Visitation, Mandatory Judicial Notice, Notice of Subrogation, Special deposit, Writ of Quo Warranto, Writ of Discovery and Notice of Conflict or Variance of Law.
  - The First Notice was sent to Honorable Kathleen P. Heminway's Chambers via Registered Mail No. 108 404 834 US, and to Jeffrey S. Gettings via Certified Mail No. 9589 0710 5270 0358 0261 17
  - The Second Notice was sent to Jeffrey S. Gettings via certified mail no. 9589 0710 5270 2118 6445 93, and also to the 8<sup>th</sup> District Court certified mail no. 7021 0950 0001 4555 7757
  - The Third Notices was sent to Jeffrey S. Gettings via certified mail no. 9589 0710 5270 2118 6446 23, and then sent to Honorable Kathleen P. Hemingway Registered Mail no. 108 404 732
  - The Fourt Notices were sent to Jeffrey S. Gettings certified mail no. 9589 0710 5270 2118 6447 39

The 8<sup>th</sup> District Court, Jeffrey S. Gettings and Honorable Kathleen P. Hemingway refused to respond and acknowledge TaPricia DLaine McGuffey's Notices. TaPricia DLaine McGuffey

was not given the opportunity to face and address Honorable Kathleen P. Hemingway, until Trial on July 18, 2024. During the first Hearing at 8<sup>th</sup> District Court and Settlement Hearing, Honorable Kathleen P. Hemingway would Leave the room when TaPricia DLaine McGuffey walked in; where she would leave and/or change the court jurisdiction throughout the hearing. TaPricia DLaine McGuffey was never heard during her scheduled Visitation with Honorable Kathleen P. Hemingway. Instead, the Prosecuting Attorney's would take public responsibility. When TaPricia DLaine McGuffey asked for their responses to the Notices she submitted, the prosecuting Attorney, Josh, specifically stated that the court authorized him to not respond to anything TaPricia DLaine McGuffey submissions.

6. During the Trial on July 18, 2024 TaPricia DLaine McGuffey stated for the record, "I am here by Special Appearance as beneficiary/heir of the Estate TAPRICIA DLAINÉ MCGUFFEY an implied surety for the above reference and insolvent principal debtor now coming in as subrogee to settle any lawful claim using my right to subrogation." This appearance was to address jurisdictional issues and to assert the trust's rights without consenting to the court's jurisdiction over TaPricia DLaine McGuffey personally. TaPricia DLaine McGuffey was present and engaged in communication with the judge, fulfilling the requirements of an appearance as defined by court procedures.
7. The bench Warrant that was issued on July 18, 2024 is an unauthorized transaction by the court as TAPRICIA DLAINÉ MCGUFFEY LIVING TRUST holds ownership, rights, trademark rights, copyrights, and interest to TAPRICIA DLAINÉ MCGUFFEY (and all variations) property and intellectual property.
8. Tapricia DLaine McGuffey appeared in court by Special Visitation on behalf of TAPRICIA DLAINÉ MCGUFFEY, and participated in the hearing with Kathleen P. Hemingway. TaPricia DLaine McGuffey and TAPRICIA DLAINÉ MCGUFFEY have not voluntarily contracted with the 8<sup>th</sup> District Court, or any parties listed above in any way besides appearing under threat and duress. The Warrant Lien on TAPRICIA DLAINÉ MCGUFFEY and TaPricia DLaine McGuffey's natural person is unlawful, breach of trust, coercion, malicious intent, and conspiring against TaPricia DLaine McGuffey, TAPRICIA DLAINÉ MCGUFFEY LIVING TRUST, and TAPRICIA DLAINÉ MCGUFFEY ESTATE; also causing severe injury to TaPricia DLaine McGuffey, TAPRICIA DLAINÉ MCGUFFEY LIVING TRUST, and TAPRICIA DLAINÉ MCGUFFEY ESTATE.

### FACTS

9. Honorable Kathleen P. Hemingway Didn't show up to the 8:00 am court trial until 8:35am on July 18, 2024, and issued a bench warrant for the arrest of TAPRICIA DLAINÉ MCGUFFEY at 8:37am on July 18, 2024.
10. Honorable Kathleen P. Hemingway stated that the only people who were allowed to speak in court were the people at the counsel table. Then, Kathleen asked for "Ms. McGuffey" to join the counsel table.
11. There is no such thing, or person as "Ms. McGuffey."
12. TaPricia DLaine McGuffey stated that she was not an employee of the court, and that TaPricia DLaine McGuffey could not pass the BAR threshold. Instead, TaPricia DLaine McGuffey held

up the folder with the person (Birth Certificate entity TAPRICIA DLAINÉ MCGUFFEY) who was being requested by the court, and stated "that the person the court was requesting was present," three times.

13. Honorable Kathleen P. Hemingway stated "whoever is in the gallery speaking is interrupting official court proceedings. if you continue to interrupt, I'll have the deputies come and remove you from the court room."
14. TaPricia DLainé McGuffey replied again by stating on and for the record, "I'm here by Special Appearance as beneficiary/heir of the Estate TAPRICIA DLAINÉ MCGUFFEY an implied surety for the above reference and insolvent principal debtor now coming in as subrogee to settle any lawful claim using my right to subrogation."
15. Honorable Kathleen P. Hemingway stated on and for the record that, "it is 8:37am and no one has appeared for the 8:00am jury trial."
16. TaPricia DLainé McGuffey stated, "Again the person you are referencing is right here, appearing."
17. Honorable Kathleen P. Hemingway stated, "we will once again try to address the case of file 2408660SM. Official court proceedings require individuals to be present of past in the realm of the court room either at the podium or at the counsel table."
18. TaPricia DLainé McGuffey attempted to hand the person (Birth Certificate TAPRICIA DLAINÉ MCGUFFEY) to an employee of the court and stated, "could you please hand this to the judge?" He refused by shaking his head no.
19. Honorable Kathleen P. Hemingway then stated, "I see that the court's request is not being complied with. Is anyone at the defense or podium wishing to address the court properly. At this time a bench warrant will authorize unless Ms. McGuffey wishes to participate in the court proceedings. Appearing that no one has passed the threshold the bench warrant will authorize. Court stands in recess."
20. Honorable Kathleen P. Hemingway left the bench – scanning her badge to leave the court.
21. TaPricia DLainé McGuffey then states, "I will take the court. Please know that the judge has abandoned the court, and has abandoned ship. I am the Sovereign in this room and have authority. The case is now dismissed with cause and prejudice."
22. On August 12, 2024 TaPricia DLainé McGuffey Sent the documents listed below to Kathleen P. Hemingway Registered Restricted Mail No. 108 404 763 US and to the 8<sup>th</sup> District Court certified mail number 9589 0710 5270 0892 3116 94. These documents had instruction enclosed that stated the files were to be filed into evidence with the court, and sealed from the public. However, the docket does not reflect any sealed documents were uploaded to the docket.
  - Bid Bond,
  - Performance bond,
  - Performance Bond for Other Than Construction Contracts
  - Payment Bond
  - Payment Bond For Other Than Construction Contracts

- Consent of Surety
- Release of Lien on Real Property
- Release of Personal Property from Escrow
- Affidavit of Truth
- Notice of “No Bond on Record to Initiate the matter regarding Cause #2408660SM-SM”

23. The registered mail no. RE108 404 763 US that was sent registered restricted mail to Honorable Kathleen P. Heminway was signed by a “Jordan” and then forwarded to an unknown address from the court.

#### **THE GROUND(S) UPON WHICH IT IS CLAIMED TO BE ILLEGAL AND UNLAWFUL**

- 1.) The 8<sup>th</sup> District Court and its agents have violated TaPricia DLaine McGuffey’s due process, failed to produce an injured in fact person, involved in a malicious prosecution, Dishonor, and Trademark Infringement. The 8<sup>th</sup> District court, its agents, Lauren Patterson and Todd Nunn failed to respond to all notices that were sent either by registered mail and/or certified mail which included: the Writ of Quo Warranto, Notice of Discovery, Notice of Subrogation, Mandatory Judicial Notice, Notice of Special Deposit, and Notice of Conflict or Variance of Law. Thus, making all contract(s) binding and the Notices true, factual and Lawful. This Cause should be dismissed and TAPRICIA DLAINE MCGUFFEY should be exonerated from all charges for these matters alone.
- 2.) All government entities and alleged private corporations must be a creature of the American Constitution, therefore Honorable Kathleen P. Hemingway, Jeffrey S. Gettings, and Sydney Plochocki were required to produce for the record, the Legislative Act that created their Authority to enforce law and policy over TaPricia DLaine McGuffey de jure, as proof of Jurisdiction, as required by law, per Article III, Section 1 of the United States Republic Constitution and they refused produce any documentation which stated their authority A *de facto* basis for powers of authority is not sufficient in this matter. This Cause should be dismissed and TAPRICIA DLAINE MCGUFFEY should be exonerated from all charges for the lack of proof of authority and jurisdiction.
- 3.) Their failure to provide proof of de jure authority constitutes their actions as ultra vires and by operation of law their charter is dissolved, a trust arises, and TaPricia DLaine McGuffey becomes the beneficiary of said trust.
- 4.) Honorable Kathleen P. Hemingway and Jeffrey S. Gettings were required by federal, state, and municipal law to provide the name, address and telephone number of their public hazard and malpractice bonding company, the policy number of the bond, and a copy of the policy describing the bonding coverage of their specific job performance. Their failure to respond, and provide this information after TaPricia DLaine McGuffey requested it three (3) times constitutes corporate and limited liability insurance fraud (15 USC) and is prima facie evidence and grounds to impose a lien upon the official personally to secure their public oath and service of office. (18 USC 912).

#### **RELIEF SOUGHT BY THE PETITIONER**

- 1.) TAPRICIA DLAINE MCGUFFEY respectfully requires to be exonerated from all claims and charges as the 8<sup>th</sup> District Court, Honorable Kathleen P. Hemingway, Jeffrey S. Gettings, and Child Protective Services have defaulted to all notices and demands. Therefore, the 8<sup>th</sup> District

Court, Honorable Kathleen P. Hemingway, Jeffrey S. Gettings, Lauren Patterson, and Todd Nunn have legally contracted and accepted TaPricia DLaine McGuffey Notices and demands by acquiescence;

- 2.) Issue an Injunction for Trademark Infringement. TAPRICIA DLAINÉ MCGUFFEY LIVING TRUST and its beneficiaries will suffer irreparable harm if this injunction is not granted.
- 3.) The court must address the unlawful detention(s), threats, and any restrictions imposed without due process:
- 4.) Lauren Patterson, and Todd Nunn must address the frivolous letter they sent on April 11, 2024 regarding their investigating ID # 162013475 claiming TaPricia DLaine McGuffey was proven guilty as a perpetrator of "child abuse and/or child neglect" for the maltreatments(s) of Physical Injury."
- 5.) Kevin Tatroe, Lauren Patterson, Todd Nunn, and Sydney Plochocki must show the Legislative Act that created their Authority to enforce law and policy over TaPricia DLaine McGuffey de jure, as proof of Jurisdiction, as required by law, per Article III, Section 1 of the United States Republic Constitution. They must also address all of their unlawful claims, and reports;
- 6.) Issue an order directing Respondents to show cause why the writ should not be granted;
- 7.) If undisclosed exemption bonds or securities exist related to this matter, TaPricia DLaine McGuffey hereby uses her right to subrogation to assign the reversionary interest back to the Plaintiff; then to the county clerk to cover Court costs; and then to the United States Treasury, to help reduce the public debt.
- 8.) The court shall take mandatory judicial notice of the legal principal and rights outlined herein. The equity and justice sought through this petition are supported by the law and must be upheld by the court.

Respectfully Submitted,



By: TaPricia DLaine McGuffey,  
McGuffey, TaPricia, subrogee, grantee, grantor,  
beneficiary private citizen of the United States.  
Done in God Faith, All Rights Reserved, Without  
prejudice.

Luke 4:18 "The Spirit of the Lord is upon me, because he has anointed me to proclaim good news to the poor. He has sent me to proclaim freedom for the prisoners and recovery of sight for the blind, to set the oppressed free."

I, **HEREBY CERTIFY** that a copy of the foregoing **WRIT OF HABEAS CORPUS** has been furnished by Certified Mail No. 9589 0710 5270 2118 6447 46 on December 16 2024 to:

**U.S. DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MICHIGAN**

CERTIFIED MAIL 9589 0710 5270 2118 6447 46

399 Federal Building  
110 Michigan Street, NW  
Grand Rapids, Michigan [49503]



McGuffey: Tapricia  
c/o P.O. Box 2234  
Kalamazoo Michigan  
Near. [49003]



Western  
399 Federal  
Grand Rapids

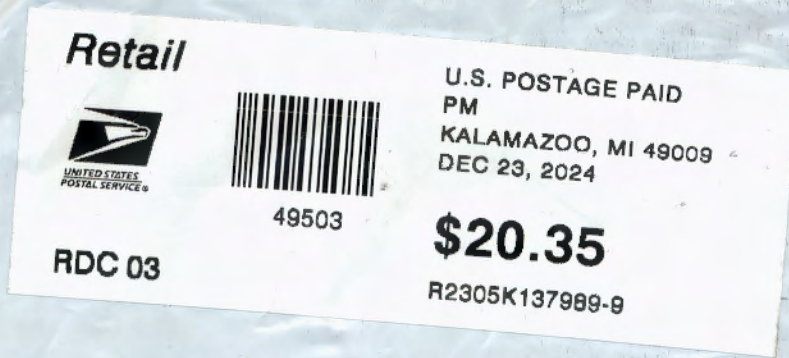
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7 71342 32784 0

**Handle with Care / Fragile**





District of Michigan  
Building - 110 Michigan St. NW  
ds [49503]



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